IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.5530 of 2006

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Dated: March 21, 2006

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Between:

N. Sattaiah, S/o. N.Bagaiah,

aged 56 years, Occ: Conductor,

R/o.LIG 71, APHB T.R. Colony,

Near Govt. Degree College,

Medak, Medak District.

… Petitioner

And

The Presiding Officer, Labour

Court II, Hyderabad, and

two others.

… Respondents

Order:

Heard the learned counsel for the petitioner, learned Government Pleader for Labour, and also Sri V.T.M. Prasad, learned Standing Counsel appearing on behalf of the respondents. Having regard to the nature of relief sought for, this Writ Petition can be disposed of at the stage of admission.

2. The facts of the case, in brief, are that the petitioner who was appointed as Conductor in the A.P. State Road Transport Corporation was issued show cause notice of removal from service on 12-11-2002 alleging certain cash and ticket irregularities. Challenging the same, he approached this Court by way of W.P.No.23898 of 2002, which was disposed of by this Court granting liberty to him to submit his explanation within two weeks therefrom. After explanation was submitted by the petitioner, an order dated 10-12-2002 was passed removing him from service. Thereafter, petitioner preferred another Writ Petition before this Court and the same was allowed, directing the respondents therein to consider the explanation submitted by the petitioner. It is the grievance of the petitioner that the respondents, without taking into consideration the explanation offered by him, passed an order dated 29-05-2004, removing him from service and the same was also confirmed in the appeal by order dated 16-08-2004. Subsequently, the petitioner preferred another Writ Petition and also moved a Review Petition, wherein this Court permitted him to raise all the grounds before the Labour Court.

3. Ultimately, petitioner raised an Industrial Dispute before the Labour Court II, Hyderabad, in I.D.No.51 of 2005 under Section 2-A (2) of the Industrial Disputes Act, 1947 ('the Act' for brevity) and the same is pending consideration before the Labour Court.

4. It is stated in the affidavit filed in support of the Writ Petition that the petitioner is now aged 56 years and would soon attain the age of superannuation.

5. Though there is no inordinate delay on the file of the first respondent, the Labour Court, but, however, the fact remains that petitioner, after his removal from service, was pursuing one remedy or the other, by way of filing Writ Petitions, etc.

6. In that view of the matter, and also taking into account the age of the petitioner, who is 56 years, I dispose of the Writ Petition directing the first respondent, the Labour Court, to pass appropriate final orders in the industrial dispute raised by the petitioner in I.D.No.51 of 2005, as expeditiously as possible, preferably within four (4) months from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of with the above directions.

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JUSTICE R. SUBHASH REDDY.

March 21, 2006

MRR